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Attorney for Respondent Antrim

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

|                            |   |                               |
|----------------------------|---|-------------------------------|
| PATRICK ROBERT HARVEY,     | ) |                               |
|                            | ) |                               |
| Petitioner,                | ) |                               |
|                            | ) |                               |
| vs.                        | ) | Case No. 3:05-cv-0083-TMB-JDR |
|                            | ) |                               |
| MARC ANTRIM,               | ) | <u>AFFIDAVIT</u>              |
| COMMISSIONER,              | ) |                               |
| DEPARTMENT OF CORRECTIONS) | ) |                               |
|                            | ) |                               |
| Respondent.                | ) |                               |
| _____                      | ) |                               |

Nancy R. Simel affirms the following to be true and correct:

1. I am employed as an assistant attorney general in the office of special prosecutions and appeals. I have been assigned to represent Respondent Antrim in this habeas matter.
2. At the status hearing on January 29, 2008, this court stated that it would allow respondent 60 days in which to file its brief on the merits and set

June 1, 2008, as the due date for respondent's brief. When this court granted Harvey's motion for an extension of time and accepted Harvey's brief for filing on April 21, 2008, however, it reset the due date for the respondent's brief on the merits to May 5, 2008.

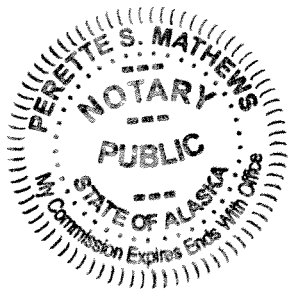
3. Because I am in the midst of preparing a response to a complex and involved post-conviction relief application in state court and have numerous appellate matters backed up, I will need 60 days in which to prepare the respondent's brief on the merits in this case.

4. I have not previously requested an extension for filing the respondent's brief on the merits.

5. I believe that, absent unforeseen circumstances, I will be able to file the document within the time requested.

Naug. Remel

Subscribed to and affirmed before me on May 5, 2008, at Anchorage,  
Alaska.



Perette S. Mathews  
Notary Public